

TENTATIVE RULINGS for CIVIL LAW and MOTION
November 30, 2009

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6942

TENTATIVE RULING

Case: **Progressive West Insurance Company v. Preciado**
Case No. CV CV 04-2056

Hearing Date: **November 30, 2009** **Department Fifteen** **9:00 a.m.**

Progressive West Insurance Company's requests for judicial notice are **GRANTED**. (Evid. Code, § 452, subd. (h).)

Progressive West Insurance Company's renewed demurrer to the second amended cross-complaint is **OVERRULED**. (Code Civ. Proc., §§ 430.10 *et seq.*; Bus. & Prof. Code, §§ 17000 *et seq.*; *Progressive West Ins. Co. v. Superior Court* (2005) 135 Cal.App.4th 263, 269-270 and 285; *In re Tobacco II Cases* (2009) 46 Cal.4th 298.) The Court finds that Simon Preciado stated facts sufficient to show that he has standing as the Unfair Competition Law class representative.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Squires v. Marcum**
Case No. CV PM 07-824

Hearing Date: **November 30, 2009** **Department Fifteen** **9:00 a.m.**

Jamie Marcum's unopposed motions to compel responses to his form and special interrogatories and demand for inspection and production of documents, sets no. one to the plaintiff are **GRANTED**. (Code Civ. Proc., §§ 2030.290 and 2031.300.) The unopposed requests for monetary sanctions against Ciaron Squires are **GRANTED** in the total amount of \$290.00. (Cal. Rules of Court, rule 3.1348.)

Defendant shall serve counsel for the plaintiff with a copy of this order by no later than December 1, 2009. Plaintiff shall serve verified answers to the above discovery requests, without objections, and responsive documents **by no later than December 11, 2009.**

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice, except as provided herein, is required.